

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL L. LEIGHTON and
NANCY A. LEIGHTON
Plaintiffs

v.

CHESAPEAKE APPALACHIA,
LLC, et al.
Defendants

:
:
:
: CIVIL NO. 1:13-CV-2018
:
: (Judge Caldwell)
:
:
:

O R D E R

AND NOW, this 26th day of November, 2013, it is ORDERED that:

1. Defendants' motion (Doc. 5) to compel arbitration is stayed.

2. The parties are granted ninety (90) days to conduct discovery on the following: (1) whether Schlumberger is an agent of Chesapeake Appalachia under Pennsylvania agency principles; (2) whether Chesapeake Energy and Nomac can also be agents; and (3) whether this case involves interstate commerce.

3. The parties shall thereafter have thirty days to file briefs on the impact of the discovery on the law to be applied and whether the discovery alters our conclusion that Plaintiffs and Chesapeake Appalachia, Chesapeake Energy, and Nomac should proceed to arbitration and that the claims against Schlumberger should be stayed pending resolution of the arbitration proceedings.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge